Clear Form

ARIZONA DEPARTMENT OF TRANSPORTATION
CONSTRUCTION
DISADVANTAGED BUSINESS ENTERPRISE (DBE)
TERMINATION/SUBSTITUTION/REDUCTION (TSR) REQUEST

TRACS No.:_____ **Project Name:** _____

Prime Contractor: _____ **DBE Firm:** _____

Requestor:_____ **Email:** _____ **Phone Number:** _____

Type of request: ☐ **Termination/Substitution** ☐ **Termination** ☐ **Substitution** ☐ **Reduction**

1. **Is this request due to an ADOT Change Order/Scope?**

☐ **Yes**, explain below the Change Order/Scope impact on DBE participation.

☐ **No**, select below the fact(s) and the reason(s) for the request (see attached instructions). ***DBE:***

- ☐ **Fails or refuses to execute written contract**
- ☐ **Fails or refuses to perform work in accordance with normal industry standards**
- ☐ **Fails or refuses to meet prime contractor's reasonable, nondiscriminatory bond requirements**
- ☐ **Becomes bankrupt, insolvent or exhibits credit unworthiness**
- ☐ **Is ineligible to work because of suspension or debarment proceedings**
- ☐ **Is not a responsible contractor**
- ☐ **Voluntarily withdraws from the project and provides to the Department written notice of its withdrawal**
- ☐ **Is ineligible to receive DBE credit for the type of work required**
- ☐ **Owner dies or becomes disabled resulting in inability to complete its work on the contract**
- ☐ **DBE firm acquired by a Non-DBE firm**
- ☐ **Other documented good cause** (Attach documentation)

Attach a brief statement of facts describing the situation and any documentation to substantiate selection above.

2. **Date determined the DBE is unwilling, unable or ineligible to perform:** _____

3. **Date of Written Notice to DBE:** _____ *Attach notice with this request, along with the DBE response.*

4. **a. Original DBE award amount: $**_____ **b. Remaining DBE award amount: $**_____

5. **Amount owed to the DBE for work completed: $** _____

For DBE Substitution only, answer questions from 6 thru 8:

6. **Is the proposed replacement a Certified DBE?**

☐ **Yes,** please provide new DBE Intendant Participation Affidavit Individual and updated DBE Affidavit Summary.

☐ **No,** provide Good Faith Effort (GFE) brief statement and documentation.

7. **Proposed Sub Name** (if applicable)**:** _____

8. **a. Projected date for Sub to commence work:** _____ **b. Proposed DBE dollar amount to substituted:** _____

9. **Is this project scheduled to meet the assessed DBE goal?** ☐ **Yes** ☐ **No**

All signatures must be obtained before request is submitted.

_____ _____
Prime Contractor Signature **Date**

_____ _____
Original DBE Subcontractor Signature **Date**

_____ _____
ADOT RE/PM Signature **Date**

FOR BECO USE ONLY

Request is: ☐ Approved ☐ Not Approved

BECO Representative: _____

Signature: _____

Date: _____

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INSTRUCTIONS

THE CONTRACTOR SHALL CONTACT THE DEPARTMENT WITHIN 24 HOURS FROM THE FIRST SIGN OF ANY REASON FOR POTENTIAL DBE TERMINATION/SUBSTITUTION OR REDUCTION OF WORK FOR A DBE LISTED ON THE DBE INTENDED PARTICIPATION AFFIDAVIT SUMMARY. THE CONTRACTOR SHALL IDENTIFY THE SUBSTITUTE DBE WITHIN SEVEN (7) CALENDAR DAYS FROM THE DATE TERMINATION REQUEST IS APPROVED BY ADOT (SEE DBE SPECIAL PROVISIONS, SECTION 24.0)

Terms used on this form, contractor and subcontractor are synonymous with consultant and subconsultant respectively

Before submitting this form to BECO at contractorcompliance@azdot.gov, complete the following:

- Submit a written notice to the DBE and a copy to BECO
- Allow the DBE a minimum of five days to respond to written notice
- Attach the DBE response with this form, as applicable
- Obtain all three signatures
- Revised DBE Affidavits
- GFE and supporting documentation to be submitted with this request or within 7 calendar days from approval of this request.

Guidance on completing the Form:

Type of Request: Mark the box that apply.

1. Reason for Request: Select Yes or No. If no, mark the box that apply
2. Enter date determined the DBE is unavailable
3. Enter date DBE was notified in writing.
4. a. Enter dollar amount from original DBE Affidavit submitted at time of bid
   b. Enter the DBE award amount that is still remaining to meet the commitment
5. Enter the amount that is still owed to the DBE for work completed

For DBE Substitution only, answer questions from 6 thru 8:

6. Is the proposed substation/replacement a Certified DBE?
   - Yes, please provide new DBE Intendant Participation Affidavit Individual and updated DBE Affidavit Summary.
   - No, provide Good Faith Effort (GFE) brief statement and documentation.
7. Enter the name(s) of the DBE Subcontractor(s) used to substitute. In certain circumstances more than one DBE may be necessary to substitute the remaining dollar amount.
   Examples:
   - Existing DBEs on the project that are not on the affidavits at bid time (not committed)
     - For work already performed or for work yet to be performed, DBE credit may be considered as long as the DBE is certified (NAICS) in that type of work being performed – Pending DBE Affidavit review
   - Additional work added to existing DBEs identified on the affidavit at bid time (committed)
     - If DBE has additional work that is not included on the affidavit, DBE credit may be considered as long as the DBE is certified (NAICS) in that type of work being performed – Pending DBE Affidavit review
   - When adding new DBEs on the project, DBE credit may be considered as long as the DBE is certified (NAICS) in that type of work being performed – Pending DBE Affidavit review
8. a. Enter the date the substitute DBE is to start work
   b. Enter the total amount proposed to be substituted. If more than one DBE is being used, combine the amount for each individual DBE and enter the total.
9. Is this project scheduled to meet the assessed DBE Goal? Select Yes or No